

CONVEYANCE OF GSA FLEET MANAGEMENT CENTER TO
ALASKA RAILROAD CORPORATION

MAY 10, 2007.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 1036]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1036) to authorize the Administrator of General Services to convey a parcel of real property to the Alaska Railroad Corporation, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 1036 authorizes the Administrator of General Services to convey a parcel of real property, known as the General Services Administration (GSA) Fleet Management Center, to the Alaska Railroad Corporation, an entity of the State of Alaska.

BACKGROUND AND NEED FOR LEGISLATION

The bill authorizes the Administrator of General Services to convey a parcel of real property to the Alaska Railroad Corporation, an entity of the State of Alaska. Subject to the requirements of this bill, the Administrator shall convey, by quitclaim deed, to the Alaska Railroad Corporation, all right, title, and interest of the United States in and to the parcel of real property known as the GSA Fleet Management Center. The GSA Fleet Management Center is a 78,000-square-foot parcel of real property located at the intersection of 2nd Avenue and Christensen Avenue in Anchorage, Alaska. As consideration for the property, the Administrator shall require the Corporation to either convey a replacement facility to GSA or

pay the fair market value of the property based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Alaska Railroad Corporation. All proceeds derived from any payment for the property will be deposited in the Federal Buildings Fund.

SUMMARY OF THE LEGISLATION

Section 1. Conveyance of GSA Fleet Management Center to Alaska Railroad Corporation.

Subsection (a) directs the Administrator of General Services to convey, by quitclaim deed, not later than two years after the date of enactment of this Act, to the Alaska Railroad Corporation, all right, title, and interest of the United States in and to a parcel of real property known as the GSA Fleet Management Center.

Subsection (b) identifies the location of the parcel of land. The 78,000-square-foot parcel is located at the intersection of 2nd Avenue and Christensen Avenue, Anchorage, Alaska.

Subsection (c) provides the consideration that the Federal Government shall receive to convey the property. As consideration for the property, the Administrator shall require the Corporation to either convey a replacement facility to GSA or pay the fair market value of the property based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Alaska Railroad Corporation.

Subsection (d) provides that, if an appraisal is required to determine the fair market value of the GSA Fleet Management Center parcel of property, the appraisal shall be performed by an appraiser who is mutually acceptable to the Administrator and the Alaska Railroad Corporation.

Subsection (e) directs that all proceeds derived from any payment for the property will be deposited in the Federal Buildings Fund. The Administrator may use such funds for authorized activities upon written notice to the Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works.

Subsection (f) states the Administrator may require such additional terms and conditions to the conveyance as the Administrator considers appropriate to protect the interests of the United States.

Subsection (g) provides that the exact acreage and legal description of the parcels to be conveyed be determined by surveys satisfactory to the Administrator and the Alaska Railroad Corporation.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, then-Chairman Young introduced H.R. 6026, which directed the Administrator of General Services to convey a parcel of real property to the Alaska Railroad Corporation in exchange for replacement property and other consideration. On July 31, 2006, the bill was referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management. No further action was taken.

On February 13, 2007, Rep. Don Young introduced H.R. 1036, which directs the Administrator of General Services to convey a parcel of real property to the Alaska Railroad Corporation in exchange for replacement property and other consideration.

On March 1, 2007, the Committee on Transportation and Infrastructure met in open session to consider H.R. 1036. The Committee on Transportation and Infrastructure ordered the bill reported favorably to the House by voice vote.

RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 1036 reported. A motion to order H.R. 1036 reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(I) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to authorize the Administrator of General Services to convey a parcel of property to the Alaska Railroad Corporation.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 1036 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 9, 2007.

Hon. JAMES L. OBERSTAR,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1036, a bill to authorize the Administrator of General Services to convey a parcel of property to the Alaska Railroad Corporation.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

H.R. 1036—A bill to authorize the Administrator of General Services to convey a parcel of property to the Alaska Railroad Corporation

H.R. 1036 would require the Administrator of the General Services Administration (GSA) to convey within two years the GSA Fleet Management Center located in Anchorage, Alaska, to the Alaska Railroad Corporation. The corporation is owned by the state of Alaska. The legislation would require that the Alaska Railroad Corporation pay fair market value for the site (approximately \$2 million) or provide a replacement facility. Proceeds from the sale would be deposited in GSA's Federal Buildings Fund and could be spent on any authorized activities without further appropriation action. Because of that new spending authority, CBO estimates that enacting the bill would increase direct spending by \$2 million in 2010 or 2011. The legislation would not affect revenues.

Under current practice, GSA has used the authorities granted in the Consolidated Appropriations Act, 2005 (Public Law 108-447) to retain and spend proceeds from real property sales, subject to appropriation action. Based on information from GSA and the railroad, CBO expects that this property would be sold under current law in 2010 or 2011; the legislation would accelerate that process and would allow spending of the proceeds, which could not occur under current law without appropriation action. Thus, CBO estimates that enacting H.R. 1036 would result in a shift of \$2 million in receipts from 2010 or 2011 to 2008 and additional direct spending (from those receipts) in 2008. As a result, net outlays in 2008 would be unchanged, but direct spending outlays in 2010 or 2011 would increase by \$2 million because of the decrease in offsetting receipts in that year.

H.R. 1036 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act; any costs to the state of Alaska would be incurred voluntarily.

The CBO staff contact is Matthew Pickford. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1036 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific

powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 1036 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 1036 makes no changes in existing law.

